THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :20555 OF 2007

DATED:01-10-2007

BETWEEN:

Thimma Reddy.

..... PETITIONER

AND

The Joint Collector,
Anantapur,
Anantapur District & 2 others.

.....RESPONDENTS

ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the 1st respondent in not passing any order on the revision petition No.E1/5532/02, dated 09-09-2002, of the petitioner, as illegal and arbitrary.

3. It is stated that an extent of Ac.4.25 cents in Sy.No.113-2 of Yelakuntla village, Kanaganapalli mandal, Anantapur District was assigned in favour of the petitioner vide proceedings No.D.A.243/77, dated 29-07-1968, by the then Tahsildar, Dharmavaram, and the said order of assignment has been cancelled on the ground that the land in question has been transferred in faovur of one G.Lakshminarayana and the said Lakshminarayana was found in cultivation of the said land for the last six years continuously and applied for assignment of the land in his favour. A perusal of the said order goes to show that the petitioner, who is the assignee, is not in possession of the same. Accordingly, assignment of the land in favour of the petitioner was set aside by the 2nd respondent-Revenue Divisional Officer, and the matter was remanded to the

Mandal Revenue Officer to assign the said land afresh in favour of the landless poor of the village. It is stated that aggrieved by the order of the Revenue Divisional Officer in proceedings No.D.Dis.No.1097/99/B, dated 16-08-2002, petitioner filed a revision before the District Collector, Anantapur, and the District Collector by his proceedings in Rc.No.E1/5535/2002, dated 18-09-2002, has taken the revision on file and called for the records from the Revenue Divisional Officer. It is stated that the said revision is still pending on the file of the District Collector, Anantapur District.

4. I am not inclined to express any opinion whether the said revision was already disposed or still pending, but however, if the revision is still pending there cannot be any justification on the part of the 1st respondent in keeping the said revision pending without disposing of the same in accordance with law.

5. Having regard to the facts and circumstances of the case, 1st respondent is directed to consider and dispose of the said revision said to have been pending in Rc.No.E1/5535/2002 as expeditiously as possible without any undue delay.

6. Accordingly, Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

01st October, 2007.

Note:

Furnish C.C. of the
order within three days.

B/o

Tsy